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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/736,293	12/16/2003	Mustansir Banatwala	LOT9-2003-0103-US1 (039)	3780
46321 7590 07/17/2007 CAREY, RODRIGUEZ, GREENBERG & PAUL, LLP STEVEN M. GREENBERG 950 PENINSULA CORPORATE CIRCLE SUITE 3020 BOCA RATON, FL 33487			EXAMINER ANWARI, MACEEH	
			ART UNIT 2109	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/736,293

Applicant(s)

BANATWALA ET AL.

Examiner

Maceeh Anwari

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to the amendment filed on 5/21/2007. Claims 1, 4, 5, 9 and 13 were amended. Claim 3 was canceled. No other claims have been amended, canceled, or newly presented. Accordingly, claims 1-2 and 4-13 are pending.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1-13 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Specifically the addition of the "computing platform" does not appear anywhere within the original specification. For the purposes of this examination the term "computing platform" will be given it's broadest reasonable interpretation.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 1-13 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 1-4 and 13 do not fall within at least one

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of the four statutory categories of patent eligible subject matter; rather what the applicant has disclosed within these claims is interpreted as being software per se.

Claims 1-13 fall under a judicial exception, an abstract idea, and are not directed to a practical application of such a judicial exception because they fail to produce a tangible result.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-13 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Fredell et al. (hereinafter Fredell), U.S. PGPUB NO.: US 2001/0028364 A1.

Fredell teaches:

Claim 1:

A discussion forum resource comprising (Par.108; reads on the limitation of a discussion forum): at least one topic thread disposed in the discussion resource forum and created for externally sourced content in the discussion forum resource (Figure 1 & Par. 2 & Par. 107), wherein said externally sourced content comprise postings from another discussion forum resource (Figure 1 & Par. 2 Lines 1-10 & Par. 122); and, a data aggregator executing in a computing platform and coupled to said at least one topic thread and configured to manage

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said externally sourced content in said at least one topic thread (Figure 1 & Par. 2 & Par.107).

Claim 2:

The discussion forum resource of claim 1, wherein said externally sourced content comprise data selected from the group consisting of text, audio, imagery and video (Figure 2 & 3 & Par. 43 Lines 11-15).

Claim 3:

Cancelled.

Claim 4:

The discussion forum resource of claim 1, wherein said data aggregator further comprises a configuration for writing responsive • postings in said at least one topic thread disposed in the discussion forum resource to said another discussion forum resource (Figure 1 & 4 & Par. 36 Lines 7-9 & Par. 37 Lines 9-13 & Par. 109 & Par. 107-110; reads on the limitation of alternate discussion forums and being able to write to them).

Claim 5:

A discussion forum management method comprising the steps of (Par.108; reads on the limitation of a discussion forum): receiving externally sourced data for posting in a discussion forum resource (Figure 1 & Par. 2 Lines 1-10 & Par. 122); creating a new topic thread for said externally sourced data (Figure 4 & Par. 114; reads on the limitation of new topic threads); and,

responsively posting to said externally sourced data in said new topic thread
(Par. 110).

Claim 6:

The method of claim 5, further comprising the steps of: determining whether subsequently received postings are responsive postings which relate to said externally sourced data; and, posting said subsequently received postings to said external data source if it is determined that said subsequently received postings are responsive postings which relate to said externally sourced data (Par. 11 Lines 5-20 & Par.110; it is inherent that in order for the invention to provide notifications when a response is issued it would have to be able to determine whether the received posting is a responsive posting or not).

Claim 7:

The method of claim 5, wherein said externally sourced data comprises data selected from the group consisting of text, audio, imagery and video (Figure 2 & 3 & Par. 43 Lines 11-15).

Claim 8:

The method of claim 5, wherein said externally sourced data comprises postings for another discussion forum resource (Figure 4 & Par. 36 Lines 7-9 & Par. 37 Lines 9-13 & Par. 109; reads on the limitation of alternate discussion forums).

Claim 9:

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A machine readable storage having stored thereon a computer program for discussion forum management (Par.108; reads on the limitation of a discussion forum), the computer program comprising a routine set of instructions which when executed by a machine cause the machine to perform the steps of: receiving externally sourced data for posting in a discussion f resource (Figure 1 & Par. 2 Lines 1-10 & Par. 122); creating a new topic thread for said externally sourced data (Figure 4 & Par. 114; reads on the limitation of new topic threads); and, responsively posting to said externally sourced data in said new topic thread (Par. 110).

Claim 10:

The machine readable storage of claim 9, further comprising the steps of: determining whether subsequently received postings are responsive postings which relate to said externally sourced data; and, posting said subsequently received postings to said external data source if it is determined that said subsequently received postings are responsive postings which relate to said externally sourced data (Par. 11 Lines 5-20 & Par.110; it is inherent that in order for the invention to provide notifications when a response is issued it would have to be able to determine whether the received posting is a responsive posting or not).

Claim 11:

The machine readable storage of claim 9, wherein said externally sourced data comprises data selected from the group consisting of text, audio, imagery and video (Figure 2 & 3 & Par. 43 Lines 11-15).

Claim 12:

The machine readable storage of claim 9, wherein Said externally sourced data comprises postings for another discussion forum resource (Figure 4 & Par. 36 Lines 7-9 & Par. 37 Lines 9-13 & Par. 109; reads on the limitation of alternate discussion forums). Claim 13:

A collaborative environment configured to include external data sources in a discussion forum resource comprising: at least two discussion forum resources coupled to each other (Figure 4 & Par. 36 Lines 7-9 & Par. 37 Lines 9-13 & Par. 109; reads on the limitation of alternate/multiple discussion forums); and, a data aggregator executing in a computer platform and disposed between said at least two discussion forum resources (Figure 1 & Par. 114; reads on the limitation of there being a data aggregator) and configured to synchronize postings related to one another in said at least two discussion forum resources (Par. 110 & 120 & 121; the limitation of synchronization is inherent when notifications are made available upon cue).

Response to Arguments

5. Applicant's arguments filed have been fully considered but are not persuasive. In substance, the applicant argues A) that since credible utility is contained in Applicant's specification, the utility requirement of 35 U.S.C 101 (i.e. whether the invention

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produces a useful, concrete, and tangible result) has been met; B) Fredell does not teach that a new topic thread is created for externally sourced data; C) Fredell wholly lacks any disclosure relating to the synchronization of postings related of postings related to one another in at least two discussion forum resources.

In response to A) although the applicant meets the credible utility requirement, it still fails to fall under a statutory category and is still software per se. Furthermore, applicant has stated within the specification "the present invention can be realized in hardware, software, or a combination of hardware and software"; clearly with this the claims as currently amended still fail to meet the statutory requirements.

In response to B) examiner respectfully disagrees. Fredell does teach that a new topic thread is created for externally sourced data. More specifically Fredell teaches documents that are both external and internal as is clearly evident by the "Document Vault" and "Participant Directory" (Figure 4). Therefore Fredell still meets the scope of the limitations as currently claimed.

In response to C) Fredell does teach the linking and synchronizing of multiple threads from multiple discussion forums. Fredell clearly points out that the posted plurality of project tasks (threads) is linkable to database to retrieve project documentation that requires review by selected projected participants (Par. 11). Therefore, Fredell still meets the scope of the limitations as currently claimed.


Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


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SUPERVISORY PATENT EXAMINER
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